

LINDEN AVENUE CASE.

PROPERTY-OWNERS GIVEN A HEARING
BY THE TOWN COUNCIL.

A Large Attendance at the Meeting and Various Allegations Made—The Question of Grading an Important Factor in the Case—Engineer Omitted Explained.

The Town Council gave a hearing Wednesday night to the Linden Avenue property-owners in the matter of assessments for improvements made along that street in compliance with a petition submitted to the Council two years ago. There was a large attendance of Linden Avenue people at the meeting. Seymour F. Gilbert, Clerk of the Board of Assessors, was called on by the Council to speak at the hearing, and read off the name of each property-owner, and in cases where requested the amount of the assessment and what it represented. Among those who personally objected to the assessment levied were Charles Harrington, H. B. Adams, W. H. Swain, Charles Heiden, John Schwab, Gustav Bruett, John T. Baldwin, E. K. Schuyler, Mrs. W. A. Francis, Howard M. Van Tassel, R. T. Cadmus and William Blodell.

The objections in particular were of a varied character, some relating to curbs, some to cobble gutters, some to flag walks, some to the number of trees removed, and the majority of them to the matter of grading. Charles J. Powers appeared to be the chief spokesman for the objectors, and he took up the case on broader lines than that of particular objections and his criticisms were of a general character, and he openly declared that the amount of work charged for and certified to by the Town Engineer had not been done, and he based his declarations on information obtained from Clerk Gilbert of the Board of Assessors and from a personal inspection of the street.

Mr. Powers told of the meeting of the property-owners with the Clerk of the Board of Assessors. Mr. Powers first spoke of the grading and said that there had been no grading done in front of his property or that of the people he represented, but according to the facts given him by the Clerk of the Board of Assessors 1095 cubic yards of grading had been certified to by the engineer as having been done and paid for in the street. "After an inspection of the grading by myself and other property-owners in the street," said Mr. Powers, "we were unable to find anything like the amounts given us by the Clerk."

"Allowing the sidewalks to be ten feet wide," said Mr. Powers, "and the street 1100 feet long, and providing for a grade of one foot the entire length of the street on both sides, would only give us 22,000 cubic feet or 815 cubic yards. The amount charged (1095 yards) would allow of a good one and one-third feet in depth and ten feet wide the entire length of both sidewalks. In the block between Glenwood Avenue and Thomas Street, 450 feet in length, there was absolutely no grading whatever. On the next block between Thomas Street and Ashland Avenue there was a fill of about 250 feet in length and another fill in front of the Stevens property of about 100 feet in length, and these two fills would not average over twelve inches in depth. There was a fill of about one hundred feet in length in front of Mr. Schupp's property of less than two feet in depth, and on the next block west of Ashland Avenue a cut of 175 feet in length and of less than two feet in depth in front of the Robert Kay and Building and Loan Association property. Estimating on the most liberal basis the amount of grading visible, we could not find over 9000 cubic feet, or 333 cubic yards, while we were charged for 1095 yards."

Mr. Powers next took up the matter of trees removed. "From the Clerk of the Board of Assessors we learned," Mr. Powers said, "that the town had paid for the removal of eighteen trees at five dollars each. After careful inquiry of the property-owners from in front of whose property it was stated that trees had been removed, we were only able to account for ten trees, two of which the property-owners told us had been removed gratuitously by people who wanted the wood and not by the contractors.

The flagging of the street corners, while not being assessed to the property-owners of Linden Avenue, but to the township-at-large and the cost of which we do not object to as petitioners, said Mr. Powers, but do object to a town taxpayers was next taken up.

At the corner of Linden and Glenwood Avenues we were shown by the clerk of the Board of Assessors, said Mr. Powers, the amounts of square feet of flagging on sidewalk and square yards of cobble stone gutters charged in the bill, which amounts we were unable to find cobble stone gutters or in flagging. For example, the corner of Glenwood Avenue in front of the Harrington property, there was only three flags laid or about 32 square feet.

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for which 100 square feet was charged on the opposite corner of the same street about sixty square feet of flagging was laid, for which 100 feet was charged. On other corners where cobble gutters was charged for enough to return around all corners to property line, none was found beyond the Linden Avenue front line making about double the amount charged as found to exist.

Fourteen ~~solid~~ corners of curbing was in the bill the clerk of the Board of Assessors told us. We were only able to find thirteen. I was informed, said Mr. Powers, by the clerk of the Board of Assessors, that after allowing for these full amounts of cobble stone gutters charged to street corners, there still had been paid for in the bill 190 linear feet of cobble gutters four feet wide or 760 square feet, which the Board of Assessors had been unable to locate anywhere in the improvements, and that there had been charged in the bill 32 linear feet of four feet wide flagwalk, and a new cobble stone gutter of fifty linear feet in front of the estate of John P. Schupp which the Board had found previously to exist, and which had been charged to the town-at-large. All of these extra amounts, said Mr. Powers, with one third of the amount of the grading and the interest on the cost of the whole improvement caused by the delay, all of which are charged against the town-at-large, added to the property-owners high assessment for grading, make a bill of about fifty cents per foot or enough to flag both sides of Linden Avenue with four-foot pavement its entire length.

Mr. Powers said that his interest in this Linden Avenue matter was more than that of an objecting property-owner. He had assisted Mr. Schuyler in securing signatures to the petition for the improvements, and he was influenced largely by the fact that he thought that it would lead to the adoption of the same kind of improvements in other streets and would prove a good thing for the town. He with others was disappointed in the outcome of the undertaking, and feared that it would have a tendency to discourage improvements.

After the property-owners had been given opportunity to state their case the following letter from Engineer Omitz to the Council was read by the Clerk:

GENTLEMEN: I was notified by the Town Clerk, Mr. Johnson, of a meeting in the matter of the Linden Avenue improvement which is to take place on Wednesday evening, June 10, and at which I am requested to be present.

I find that it is impossible for me to be there on Wednesday evening, because of very urgent matters which have come up, and if I should leave at this time it would entail very serious inconvenience to other parties as well as considerable financial loss. I therefore will make a statement in regard to the matter which I think will be equally as good as my being present.

In the matter of the improvements the petition did not set forth specifically, as it should, the manner in which the assessments were to be made, or how the improvements were to be charged up against the property-owners. I had no way of ascertaining at the time the improvements were taking place how the assessments were to be made, but taking the petition as a guide I had to decide upon some method of procedure. As I was familiar with the method of improvements that had been made about the town, the cobble gutters were laid and paid for out of the town fund at the general town expense, the sidewalks were paid for one-half by property-owners and the other half by the town. In the matter of curbing that was paid for by individuals. It never occurred to me that the property-owners were to be entitled to a rebate because of the conditions as they were found in the street when the improvements were being made. I judged this from the reason as above stated, and also from the language of the petition, as I had no one to counsel with that knew any different. I acted upon that principle, which I judged was the correct one, and am still of the same opinion, although I do not want to be understood as criticizing the assessors or the committee or any one else. I had to act upon my own judgment at the time, and if I was in error, it is too late to rectify it now. Acting upon that principle I measured up the different classes of work without any regard to property lines or ownership.

Long after the work was completed it was decided that another method would be adopted, and I was called upon to report what was done for each individual owner along the street. As some time had elapsed I found it was impossible to ascertain exactly what was done at each individual property, but I am satisfied that the measurements as a whole which I have given the Assessors are right.

The small deficiency in the amount, as to the new flag walk, I was unable to positively locate. Wherever flag work was done and a broken stone was found it was replaced by a new stone. Those would be difficult to pick out at this time.

As to the matter of curbing that was very easily defined, as there was very little laid except that which was continuous, and it was easily ascertained. I did the same with the curbling. Where I found a curb stone that did not comply with the specifications I took it out and replaced it with a new stone. This was done in every instance.

The cobble all had to be relaid and a great deal of new work was done. Con-

SATURDAY, JUNE 13, 1903.

Looking to Mr. Moore.

Official hearings in which aggrieved property-owners on one hand, and municipal officials who have tried to please the property-owners on the other hand, get together and endeavor to arrive at a mutual understanding of certain vexatious points of difference in the equitableness or justice of a matter of assessment are not as a rule characterized by harmony and good feeling. Sometimes it is an aggrieved property-owner, who under the excitement of the moment, gives way to his temper and denounces municipal officials and methods in general. At other times a faithful official is stung to anger by the insinuations of a mistaken and misjudging constituency.

At the hearing Wednesday night given by the Town Council to the Linden Avenue property-owners, there was a remarkable absence of any disposition to find undue fault or any indulgence in unnecessary criticism or insinuations of an unpleasant character. The meeting was orderly. All present appeared to be only concerned about the facts in the case, and the property-owners all seemed disengaged of paying all just claims against their property. Chairman Peterson and all his colleagues in the Council treated the property-owners with the most respectful consideration, and the property-owners on their part stated their case in a quiet and respectful way.

The action of the Council in referring the case to Councilman Moore for investigation, apparently met with the approbation of the property-owners, and they have that confidence in Mr. Moore that leads them to believe that he will make a speedy, impartial and fearless investigation, and if errors have been made the people will know how they were made and who was responsible for them, and the responsible party or parties will be brought to a strict account. Mr. Moore's attitude in the past on all public questions gives strength to the conviction that the confidence imposed in him by the Linden Avenue property-owners will be amply justified in the findings he will report in the investigation that he is about to undertake.

The Water Question.

While nothing official has been heard from the committee of fifteen appointed to investigate the water supply question, it has been rumored on the street that the committee had succeeded in securing a long extension of the present water contract. Some say the extension is for a year, while others say it is two years at the least.

It is also rumored that the majority sentiment of the committee is in favor of the purchase of the water mains and has obtained an option at a much lower figure than \$150,000. Members of the committee who have been spoken to about these various rumors decline either to affirm or deny them.

In connection with the rumors about the work of the committee of Fifteen, the Eagle Rock Water Company is also a subject of interest in connection with the water supply question. It has been stated during the past week that the Band Drill Company, one of the largest concerns in the country, has expressed its readiness to make a contract with the Eagle Rock Company to construct a pumping plant on the company's land, and guarantee a daily supply of 2,000,000 gallons of water for an indefinite period.

JUN OF BLOOMFIELD.

NOTICE OF HEARING ON APPLICATION FOR LICENSE.

To Whom It May Concern:

Notice is hereby given that the following applications have been made to the Council of the Town of Bloomfield, in the County of Essex, to wit:

FIRST WARD.

GEORGE B. TUCKER, for a license to keep an inn and tavern at No. 15 Broad Street, in said town.

Name of bondsmen: Wm. R. Rawson and Edward J. Heiden.

ARTHUR LUTHAUSSER, for a license to keep an inn and tavern at No. 69 Bloomfield Avenue, in said town.

Name of bondsmen: Fred. O. Fleischer and Samuel S. Fleischer.

W.M. J. RAAB, for a license to keep an inn and tavern at No. 42 Bloomfield Avenue, in said town.

Name of bondsmen: Joseph Buck.

HENRY TREIBEL, for a license to keep an inn and tavern at No. 188 Bloomfield Avenue, in said town.

Name of bondsmen: John Charles and Nicho. Le Schneiter.

ERNEST RAHALAUB, for a license to keep an inn and tavern at No. 1 Washington and Broad Streets, in said town.

Name of bondsmen: James Mulligan and Thomas Hartman.

FRANK NAGELKE, for a license to keep an inn and tavern at No. 10 John Street, in said town.

Name of bondsmen: Michael Kain and Karl Heitz.

JOHN J. HEDGES, for a license to keep an inn and tavern at No. 24 Pleasant Street, in said town.

Name of bondsmen: Joseph Matney and Walter Blythe.

ARTHUR L. HALLMAN, for a license to keep an inn and tavern at No. 15 Union and Elmwood Avenues, in said town.

Name of bondsmen: Frank H. Stevenson.

SECOND WARD.

ISRAEL BERMAN, for a license to keep an inn and tavern at No. 64 Broad Street, in said town.

Name of bondsmen: Max Herzig and William Miller.

THOMAS A. HALLINAN, for a license to keep an inn and tavern at No. 58 Broad Street, in said town.

Name of bondsmen: Charles Hallinan and Michael Hallinan.

CHARLES KELLY, for a license to keep an inn and tavern at No. 10 Locust Street, in said town.

Name of bondsmen: James A. Murphy and Frank Murphy.

CONSTANTINE ZHAKOWSKY, for a license to keep a saloon at No. 40 Parc Avenue, in said town.

Name of bondsmen: Wm. Fredericks and Theodor Schlesinger.

THIRD WARD.

JOHN KELLY, for a license to keep an inn and tavern at No. 26 Linden Street, in said town.

Name of bondsmen: John Schubert and M. J. Schubert.

ALFRED KELLY, for a license to keep an inn and tavern at No. 10 Linden Street, in said town.

Name of bondsmen: J. H. Schmidt and Charles F. Schmidt.

CHARLES KELLY, for a license to keep an inn and tavern at No. 10 Linden Street, in said town.

Name of bondsmen: John Kelly and Thomas M. Coffey.

HARRY SNYDER, and MERRILL SNYDER, for a license to keep an inn and tavern at No. 29 Elmwood Avenue, in said town.

Name of bondsmen: Frank N. Thompson and Richard Thompson.

WILLIAM JOHNSON, for a license to keep an inn and tavern at No. 37 Elmwood Avenue, in said town.

Name of bondsmen: Louis Schmid and Thos. Schmid.

ALFRED JOHNSON, for a license to keep an inn and tavern at No. 20 Orange Street, in said town.

Name of bondsmen: Alfred Johnson and Patrick F. Higgins.

WM. MARTIN, for a license to keep an inn and tavern at No. 10 Elmwood Street, in said town.

Name of bondsmen: Wm. Asworth and Joseph Asworth.

ALICE S. PEPPERLINE, for a license to keep an inn and tavern at No. 10 Orange Street, in said town.

Name of bondsmen: Jacob Hambacher and Arthur Schmid.

W.M. ASHWORTH, for a license to keep an inn and tavern at No. 20 Orange Street, in said town.

Name of bondsmen: James A. Scott and Wm. Parting.

MARGARET STEWART, for a license to keep an inn and tavern at No. 29 Elmwood Avenue, in said town.

Name of bondsmen: Wm. Cunningham and Arthur Sprague.

NICHOLAS DUGGAN, for a license to keep a saloon at No. 1 and 3 Orange Street, in said town.

Name of bondsmen: Naham Thompson and John W. Thompson.

THEODORE STEENWERTH, for a license to keep a saloon at No. 11 Elmwood Avenue, in said town.

Name of bondsmen: James Mahoney and A. B. Hart.

MOSES SCHIFFER and LEONIDUS SCHIFFER, for a license to keep a saloon at No. 1 and 3 Orange Street, in said town.

Name of bondsmen: Naham Thompson and John W. Thompson.

And that the Town Council has designated MONDAY, JUNE 13, 1903, at 8 o'clock A. M., at the Bank Building, Bloomfield, to consider any objections that may be made to the granting of said application.

Dated BLOOMFIELD, N. J., June 2, 1903.

WM. L. JOHNSON,
Town Clerk.

ORDINANCE.

An ordinance appropriating and providing for raising by taxation monies for public purposes for the year nineteen hundred and three.

The Council of the Town of Bloomfield, in the County of Essex, do ordain as follows:

There shall be assessed, raised by taxation, and collected for the year nineteen hundred and three, upon the real estate and personal property in and upon the land and buildings situated within the Town of Bloomfield, in the County of Essex, and the State of New Jersey, the following sum of money for the purpose hereinafter expressed, to wit:

1. For lighting the streets of the town.....\$10,000.00

2. For the support of the Police Department.....5,800.00

3. For the maintenance of the Fire Department.....3,500.00

4. For regulating, cleaning and keeping in repair streets and highways.....10,000.00

5. For the relief of the poor.....3,000.00

6. For water for the extinguishment of fires.....7,500.00

7. For the payment of interest upon the debt of the town, including the principal amount due and unpaid time to time become due and payable.....21,000.00

8. For the general and incidental expenses of the town, including the principal amount due